

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

IN RE JOHN CORRION,

Plaintiff,

CASE NO. 2:13-mc-51057
HONORABLE PAUL D. BORMAN
UNITED STATES DISTRICT JUDGE

**OPINION AND ORDER DENYING PLAINTIFF PERMISSION TO PROCEED *IN*
FORMA PAUPERIS OR TO FILE CIVIL RIGHTS COMPLAINT**

John Corrion is a state inmate currently incarcerated at the Kinross Correctional Facility in Kincheloe, Michigan. Plaintiff seeks leave to proceed *in forma pauperis*, pursuant to 28 U.S.C. § 1915, and permission to file a civil rights complaint, pursuant to 42 U.S.C. § 1983, in the case of *Corrion v. Heyns, et. al.*, No. 13-10746, in which he alleges that he was denied access to the courts. This case was summarily dismissed because plaintiff had not first obtained permission to file this lawsuit from the presiding judge. Prior to filing this complaint, plaintiff had been enjoined from filing lawsuits in this district without first obtaining leave from the presiding judge. This case is before this Court acting as Presiding Judge. For the reasons that follow, the Court will deny plaintiff permission to proceed *in forma pauperis* or to file a civil rights complaint in Case No. 13-10746.

Plaintiff has been a frequent filer of civil rights complaints. Judge George Caram Steeh recently reviewed plaintiff's history of filing numerous frivolous and malicious actions. See "Order Striking Complaint," *Corrion v. Corrion*, No. 12-15484 (E.D. Mich. February 1, 2013). Judge Steeh noted that plaintiff had filed at least twenty-eight lawsuits in the United States District Court for the Eastern District of Michigan, twenty of which were dismissed either for a

failure to pay the filing fee after denial of leave to proceed *in forma pauperis* or for being frivolous or malicious or failing to state a claim. *Id.* at 2. Judge Steeh stated that plaintiff “is a vexatious litigant who will not stop filing these actions absent action of the court” and ordered plaintiff barred from filing further actions in this court without first seeking leave from the presiding judge. *Id.* at 3.

Plaintiff subsequently attempted to file a lawsuit, which was summarily dismissed because plaintiff had failed to seek permission from the presiding judge. *See Corrion v. Heyns, et. al.*, No. 13-10746 (E.D. Mich. February 28, 2013).

Plaintiff has now filed a request from the presiding judge to grant him permission to proceed *in forma pauperis* and proceed with the complaint that he filed in Case No. 13-10746.

This Court has reviewed plaintiff’s complaint and finds that the allegations in the complaint are without merit. The Court further notes that plaintiff has failed to allege or show that he has not raised these allegations in a prior civil action.

This Court will deny plaintiff permission to proceed *in forma pauperis* or to file the current civil rights complaint. Plaintiff has been enjoined by another judge in this district from filing lawsuits because he is a “vexatious litigant.” Plaintiff’s “history of unsubstantiated and vexatious litigation amounts to continued abuse of his *in forma pauperis* status.” *See Edwards v. Johns*, 450 F. Supp. 2d 755, 756 (E.D. Mich. 2006)(internal quotation omitted). This Court will not grant plaintiff to proceed *in forma pauperis* or to file this complaint because he has failed to show that his allegations have any merit and that they are not a repetition of plaintiff’s prior complaints. *Id.*, at 757.

IT IS HEREBY ORDERED that Plaintiff John Corrion is **DENIED** permission to proceed *in forma pauperis* or to file a lawsuit in Case No. 13-10746.

SO ORDERED.

s/Paul D. Borman
PAUL D. BORMAN
UNITED STATES DISTRICT JUDGE

Dated: July 23, 2013

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on July 23, 2013.

s/Deborah Tofil
Case Manager